HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

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W.P. No.18316 of 2007

8.10.2007

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Between

V.Savithri ..Petitioner

AND

The Station House Officer, S.R.Nagar P.S., and others ..Respondents

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:: JUDGMENT ::

HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

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W.P. No.18316 of 2007

This writ petition has been instituted complaining that the respondents 1 to 4 are not registering the offence under Section 376, Indian Penal Code pursuant to the complaint lodged by the writ petitioner herein against the fifth respondent.

Pursuant to my directions issued on 1.10.2007, the Inspector of Police, S.R.Nagar Police Station, Hyderabad has produced the record and the fifth respondent is also present in person. The record discloses that the accused – fifth respondent had been apprehended by the local Police and he had been produced before the third Additional Chief Metropolitan Magistrate's Court at Hyderabad and that the learned Additional Chief Metropolitan Magistrate had remanded the accused for custody. It is therefore clear that the respondents 1 to 4 have not only entertained the complaint lodged by the writ petitioner, but also acted thereupon. But nonetheless, the learned counsel for the petitioner would contend that instead of proceeding against the accused for the offence committed by him under Section 376, I.P.C., the local police are proceeding against him for the offences under Sections 417 and 420 of Indian Penal Code and under Section 3 and 4 of the Dowry Prohibition Act.

In these set of circumstances, it is open to the petitioner to

seek appropriate remedy from the criminal Court concerned. Since the respondents 1 to 4 have acted in pursuance to the complaint of the petitioner, no further orders are needed in this writ petition.

The writ petition is accordingly, dismissed. No costs.

NOOTY RAMAMOHANA RAO.J.

8.10.2007
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